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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,473	05/10/2005	Remy Cyrille Broersma	NL 030032	4957

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P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

BREVAL, ELMITO

ART UNIT	PAPER NUMBER
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2809

MAIL DATE	DELIVERY MODE
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07/12/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/534,473

Applicant(s)

BROERSMA ET AL.

Examiner

Elmito Breval

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 1/19/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. **Claims 1-7** are rejected under 35 U.S.C. 102(e) as being anticipated by Marcel Rene Boehmer et al., (US patent: 7,045,937).

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, Boehmer et al., discloses a light-transmitting substrate which is at least partly provided with a light-absorbing coating, said light-absorbing coating comprising stabilized pigments which are incorporated in a sol-gel matrix, characterized in that the coating at least comprises an organic pigment and that an aminosilane is present in order to stabilize the pigments (abstract; col.1, lines 40-50).

Regarding claim 2, Boehmer et al., discloses a light-transmitting substrate as claimed in claim 1, characterized in that x-alkyl-aminopropyltrialkoxysilane is used as a

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stabilizer, where the alkyl group can be a methyl-, ethyl- or phenylgroup, and where the alkoxygroup can be a methoxygroup or an ethoxygroup (Col. 1, lines 55-65; col. 2, lines 1-3; col. 2, lines 5-10).

Regarding claim 3, Boehmer et al., discloses a light-transmitting substrate as claimed in claim 1, characterized in that the coating comprises both an organic and an inorganic pigment (Col.1, lines 50-52; col. 2, lines 55-56).

Regarding claim 4, Boehmer et al., discloses a light-transmitting substrate as claimed in claim 1, characterized in that aluminum oxide is added to the coating during preparation thereof (Col.2, lines 65-67).

Regarding claim 5, Boehmer et al., further discloses an electric lamp comprising a light-transmitting lamp vessel that accommodates a light source, said lamp vessel comprising a light-transmitting substrate according to claim 1 (Col.3, lines 3-35).

Regarding claim 6, Boehmer et al., discloses a Light absorbing coating according to claim 1 (Col.3, lines 3-5).

Regarding claim 7, Boehmer et al., discloses Lamp vessel provided with a light-absorbing coating, the light-absorbing coating comprising stabilized pigments which are incorporated in a sol-gel matrix, characterized in the coating at least comprises an organic pigment and that an aminosilane is present in order to stabilize the pigments according to claim 1 (Col.3, lines 3-40).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elmito Breval whose telephone number is 571- 270-3099. The examiner can normally be reached on Mon-Fri 8:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell Mckinnon can be reached on 571-272-4797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 28, 2007



Elmito Breval



LISA CAPUTO
PRIMARY PATENT EXAMINER